United Nations Convention on the Law of the Sea SPLOS/219

Meeting of States Parties

Distr.: General
15 March 2011

Original: English

Twenty-first Meeting
New York, 13-17 June 2011

Election of seven members of the International Tribunal for the Law of the Sea

List of candidates nominated by States Parties

Note by the Registrar of the International Tribunal for the Law of the Sea

1. Article 4 of the Statute of the International Tribunal for the Law of the Sea provides that the members of the Tribunal shall be elected at a meeting of States Parties from a list of persons nominated by the States Parties to the Convention.

2. The election to fill the positions of seven members of the Tribunal whose terms of office expire on 30 September 2011 will be held at the twenty-first Meeting of States Parties, which will take place from 13 to 17 June 2011 in New York.

3. Paragraph 2 of article 4 of the Statute of the Tribunal provides that, at least three months before the date of the election, the Registrar shall address a written invitation to the States Parties to submit their nominations for members of the Tribunal within two months. He shall prepare a list in alphabetical order of all the persons thus nominated, with an indication of the States Parties which have nominated them, and shall submit it to the States Parties before the seventh day of the last month before the date of each election.

4. The Registrar, in a note verbale dated 15 December 2010, invited Governments of States Parties to submit within a period of two months ending on 9 March 2011 the names of the candidates they might wish to nominate for election to the Tribunal.

5. The list of all the persons thus nominated, prepared by the Registrar pursuant to article 4, paragraph 2, of the Statute of the Tribunal, is set out in the annex to the present note.

6. The curricula vitae of the candidates will be circulated in document SPLOS/221.

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Annex

List of candidates for the election of seven members of the International Tribunal for the Law of the Sea

Name and nationality	*Nominated by*
ATTARD, David Joseph (Malta)	Malta
AYENSU, Kathleen Quartey (Ghana)	Ghana
BULA-BULA, Sayeman (Democratic Republic of the Congo)	Democratic Republic of the Congo
COT, Jean-Pierre (France)	France
GAO, Zhiguo (China)	China
KELLY, Elsa (Argentina)	Argentina
KULYK, Markiyan Z. (Ukraine)	Ukraine
LOKOSSA, Francis (Benin)	Benin
LUCKY, Anthony Amos (Trinidad and Tobago)	Trinidad and Tobago
NDIAYE, Tafsir Malick (Senegal)	Senegal

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Note by the Registrar of the International Tribunal for the Law of the Sea on the election procedures

I. Election of seven members of the Tribunal

1. In accordance with article 5, paragraph 1, of the Statute of the Tribunal, the members of the Tribunal shall be elected for nine years and may be re-elected, provided, however, that of the members elected at the first election, the terms of seven members shall expire at the end of three years and the terms of seven more members shall expire at the end of six years.

2. The first election of members of the Tribunal by the Meeting of States Parties was held on 1 August 1996. The seven members whose terms expired at the end of three years and the seven members whose terms expired at the end of six years were determined by the Meeting of States Parties in accordance with the procedure set out in document SPLOS/L.3/Rev.1 of 31 July 1996, consistent with article 5, paragraph 2, of the Statute. Triennial elections of seven members of the Tribunal were held in 1999, 2002, 2005 and 2008.

3. The members presently serving, with an indication of their nationalities and terms of office, are listed in the annex to the present note.

4. The terms of office of the members begin to run from 1 October following the date of the election, in accordance with article 2 of the Rules of the Tribunal.

5. The election to fill the places of seven members whose terms of office expire on 30 September 2011 will take place during the twenty-first Meeting of States Parties, to be held from 13 to 17 June 2011.

6. A list of all persons nominated, in alphabetical order, with an indication of the States Parties which have nominated them, prepared by the Registrar in accordance with article 4, paragraph 2, of the Statute, is being circulated to States Parties in document SPLOS/219. The curricula vitae of the candidates nominated are being circulated in document SPLOS/221.

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II. Procedure

7. Pursuant to article 4, paragraph 4, of the Statute, the members of the Tribunal shall be elected by secret ballot at a meeting of States Parties convened by a procedure agreed to by the States Parties. Two thirds of the States Parties shall constitute a quorum at such meeting. Article 4, paragraph 4, of the Statute further stipulates that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States Parties present and voting, provided that such majority includes a majority of the States Parties.

8. On 26 June 2009, the nineteenth Meeting of States Parties approved the "Arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf", as contained in document SPLOS/201 (see SPLOS/203, paras. 96-102). According to the approved arrangement, the allocation of seats on the Tribunal shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats. The Meeting also agreed that, from the next election, the Tribunal would have the following composition:

(a) Five members of the Tribunal shall be from African States;

(b) Five members of the Tribunal shall be from Asian States;

(c) Three members of the Tribunal shall be from Eastern European States;

(d) Four members of the Tribunal shall be from Latin American and Caribbean States;

(e) Three members of the Tribunal shall be from Western European and other States;

(f) The remaining one member of the Tribunal shall be elected from among the African States, the Asian States and the Western European and other States.

9. Furthermore, according to the approved arrangement, the above provisions do not prejudice or affect future arrangements for elections.

10. Articles 2 and 3 of the Statute provide as follows:

"*Article 2*
"*Composition*

"1. The Tribunal shall be composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

"2. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

"*Article 3*
"*Membership*

"1. No two members of the Tribunal may be nationals of the same State. A person who for the purposes of membership in the Tribunal could be

regarded as a national of more than one State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

"2. There shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations."

Annex

Members of the International Tribunal for the Law of the Sea and their terms of office

Name	*Nationality*	*Date of expiry of term of office*
President		
José Luis Jesus	Cape Verde	30 September 2017
Vice-President		
Helmut Türk	Austria	30 September 2014
Judges		
Hugo Caminos	Argentina	30 September 2011
Vicente Marotta Rangel	Brazil	30 September 2017
Alexander Yankov	Bulgaria	30 September 2011
L. Dolliver M. Nelson	Grenada	30 September 2014
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tullio Treves	Italy	30 September 2011
Tafsir Malick Ndiaye	Senegal	30 September 2011
Jean-Pierre Cot	France	30 September 2011
Anthony Amos Lucky	Trinidad and Tobago	30 September 2011
Stanislaw Pawlak	Poland	30 September 2014
Shunji Yanai	Japan	30 September 2014
James Kateka	United Republic of Tanzania	30 September 2014
Albert Hoffmann	South Africa	30 September 2014
Zhiguo Gao	China	30 September 2011
Boualem Bouguetaia	Algeria	30 September 2017
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Jin-Hyun Paik	Republic of Korea	30 September 2014